IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 380 OF 2005

IN

SECOND APPEAL NO. 525 OF 1998

Madhav Maruti Kadam..... ... Applicant.

Versus

Vasant Krushna Kadam & Ors. ... Respondents.

Mr. G. S. Godbole for the Applicant.

Mr. P. B. Shah for the Respondent Nos.1 to 3.

CORAM : A. S. OKA, J.

DATED : 21ST APRIL, 2005.

P.C.:

Heard Shri Godbole, learned Counsel appearing for the applicant and Shri Shah, learned Counsel appearing for Respondent Nos.1 to 3.

2. Case is made out for setting aside the order of the Additional Registrar. Hence application is allowed in terms of prayer clauses (a) and (b).

Sd/-

(A. S. OKA, J.)

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P.C.:

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2. In view of the averments made in paragraphs 1, 3 and 4, civil application deserves to be allowed.

3. Accordingly, civil application is allowed in terms

of prayer clauses (a) and (b).

4. Fresh notice be issued to Respondent No.4A, returnable on 22nd June, 2005.

5. In addition to service of notice through Court, advocate for the applicant to service private notice and file affidavit of service before the returnable date.

Sd/-

(A. S. OKA, J.)